

**SOUTH DAKOTA DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS  
OFFICE OF SPECIAL EDUCATION**

**Bison School District  
Continuous Improvement Monitoring Process Report 2002-2003**

**Team Members:** Barb Boltjes and Chris Sargent, Education Specialists  
Mary Borgman, Education Specialist, team leader, absent due to hazardous weather

**Date of On Site Visit:** February 11, 2003

**Date of Report:** March 13, 2003

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Office of Special Education. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

<b>Promising Practice</b>	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
<b>Meets Requirements</b>	The district/agency consistently meets this requirement.
<b>Needs Improvement</b>	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
<b>Out of Compliance</b>	The district/agency consistently does not meet this requirement.
<b>Not applicable</b>	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

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<b>Principle 1 – General Supervision</b>
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General supervision means the school district's administrative responsibilities to insure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

**Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive Plan
- Child Find
- Child Count
- Information on Home Schooled Students
- Preschool Screening Data
- Preschool Roster

- Staff Surveys
- Teacher Assistance Team Procedures
- SAT Procedures
- School-Wide Plan (K-6)
- Parental Rights Booklet
- File Reviews
- Tables E, G and F
- Teacher Handbook
- Needs Assessment
- Surveys
- Suspension and Expulsion Data (Table C)

### **Promising Practice**

The steering committee concluded that a promising practice at the district was the establishment and implementation of procedures for locating and identifying children birth to twenty-one years with disabilities who may need special education.

### **Meets Requirements**

Based upon data, the steering committee determined that the district has established and effectively implemented an ongoing child find system to locate, identify and evaluate children with disabilities, ages birth to twenty-one, who may need special education. the district maintains an accurate child count. The committee concluded the district has an effective pre-referral and referral system in place and that provisions are in place for parent inclusion during the referral process to insure students are identified and evaluated without delay. The steering committee determined most of the staff feels they have adequate training to implement IEPs.

The steering committee indicated that the district's comprehensive plan has policies and procedures in place to provide services to students in private schools, although no student(s) from the district attend a private school at this time. In addition, the committee concurred that the district's comprehensive plan insures parental involvement in out-of-district placement in accordance with the IEP to provide the least restrictive environment for the student. The special education director conducts the annual IEP for a student placed out-of district.

In addition, the committee determined that the district has guidelines in place that comply with the mandated testing for all students. The district's special education students participate in state and district-wide assessments with their peers per state requirements.

Based upon data, the steering committee found that no special education students have been suspended or expelled from the district and that all special education students graduate.

It was concluded by the steering committee that all staff meets the requirements for state certification, and the staff are evaluated on a regular basis. A comprehensive plan for personnel development has been adopted in the district; thus, the committee determined that all certified staff and support staff may attend in-services and receive technology training as needed.

### **Needs Improvement**

Based on the regular education teacher surveys, the steering committee concluded the district needs to improve informing teachers on the proper referral process. They also determined that improvement needs to be made in including referral documentation in all student files and reporting student progress on the IEP goals. In addition, the committee found that the support staff do not receive training to assist in dealing with special students' needs, and they are not evaluated on a regular basis; therefore, they concluded these were areas of need.

## **Validation Results**

### **Promising Practice**

The monitoring team did not validate the steering committee's promising practice. Districts are required to have procedures in place for locating and identifying children with disabilities, birth to twenty-one years old.

### **Meets Requirements**

The monitor's validated all the areas the steering committee had concluded as meeting General Supervision requirements.

### **Needs Improvement**

Through interviews, it was validated that the district's teachers do need more information pertaining to the referral process, as well as the support staff needing training and evaluations to assist them in serving the needs of special education students.

Through file reviews, the monitoring team validated that the district does need to improve placing student referral documentation in student files. The referral documentation was available; however, it had not been put in the student files. Improving student progress reporting on the IEP was not validated as an area of need.

### **Out of Compliance**

#### **ARSD: 24:05:25:26 Extended School Year**

The district shall provide special education or special education and related services to eligible children if the IEP team determines on an individual basis that such services are necessary for the provision of FAPE. The IEP team shall determine the length of the school day and duration of extended school year services based on the individual child's needs. In implementing the requirements of this section, a district may not:

- (1) Limit extended school year services to particular categories of disability;
- (2) Unilaterally limit the type, amount, or duration of those services; or
- (3) Apply a regression/recoupment criterion to children in need of prolonged assistance.

File reviews and interviews with district staff revealed a need for additional training in the area of extended school year (ESY) services. ESY services documented in one student's IEP stated, "Summer school services continue with the IEP goals, June of 2003 to July of 2003, 360 minutes per week." In another file, the date to determine whether ESY services were needed was the date of the student's IEP. In addition, the ESY page was omitted from the IEP when services were not going to be provided. In discussing how ESY services were determined and implemented, the monitoring team concluded Bison's special education staff did not have a clear understanding of extended school year or how to determine what services need to be provided for eligible students.

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive Plan
- Parental Rights Booklet
- IEP Form
- Early Intervention
- Placement By Age
- Placement Alternatives
- Suspension and Expulsion Data (Table C)

#### **Meets Requirements**

The steering committee concluded that the district provides FAPE to all students from birth to 21 years. In addition, the committee indicated that no students have been suspended or expelled from the Bison District.

### **Validation Results**

#### **Meets Requirements**

The monitoring team validated all areas for FAPE as concluded by the steering committee.

## **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive Plan
- File Reviews
- Teacher Assistant Team
- Multidisciplinary Team Written Report
- Parental Rights Booklet
- Referrals
- Prior Notice Form
- SD Functional Assessment for Special Education
- Evaluation Reports

#### **Meets Requirements**

The steering committee concluded through surveys, file reviews and teacher assistance team documentation that the district conducts appropriate, comprehensive evaluations per the policies and procedures in the district's comprehensive plan. In addition, the committee determined that policies and procedures are followed pertaining to prior notices, parent consent and parent involvement for initial evaluations and reevaluations. Trained personnel administer assessments utilizing several evaluation

instruments. The steering committee concluded that the evaluation information is used to determine a student's eligibility for special education services and used to develop the child's education plan.

Based on the district's data, the steering committee found that there have been no mediation or due process hearings.

#### **Needs Improvement**

The steering committee found that classroom observations were not consistently done during the student assessment process. The committee also determined other areas needing improvement were the completion of reevaluations within the three-year timeline and that parents always should receive a copy of the evaluation.

#### **Validation Results**

##### **Meets Requirements**

The monitor's validated that parents are involved in the evaluation process. They also validated that the district has not been involved in any mediations or due process hearings.

##### **Needs Improvement**

The monitoring team did not validate the Appropriate Evaluation areas needing improvement. Classroom observations must be done for all students who are initially evaluated or reevaluated for a specific learning disability. Parents must receive a copy of the evaluation; and, reevaluations are to be completed with the three-year timeline. The monitoring team found that the aforementioned were not done consistently per regulations.

##### **Out of Compliance**

###### **24:05:30:04. Prior notice and parent consent**

Written notice must be given to the parents five days before the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child. Informed parental consent must be obtained before conducting a first-time evaluation, reevaluation, and before initial placement of a child in a program providing special education or special education and related services. The monitors found that prior notice/consent was not obtained for transition evaluations administered to two students.

###### **24:05:25:04 Evaluation procedures**

School districts shall insure a child is assessed in all areas of related to the suspected disability and that evaluation procedures include a variety of assessment tools and strategies to gather relevant functional and developmental information about the child, including information provided by parents, that may assist in developing the content of the child's IEP. Refer to Principle Five, Individual Education Program for additional information in this area.

### **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

#### **Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive Plan
- Parental Rights Booklet
- Prior Notice
- Budget
- Table L

### **Meets Requirements**

Based on the district's data, the steering committee reached consensus that the IDEA and FERPA requirements are followed for confidentiality of child file information. They determined that parents receive a copy of their rights in a language they can understand prior to any special education procedure. In addition, the committee concluded that the district follows policies and procedures for evaluations. The committee also determined that an IEP team addresses transfer of rights prior to a student's seventeenth birthday. Data reviewed by the steering committee also indicated that the district has never had a complaint or a request for a due process hearing.

### **Needs Improvement**

The steering committee determined that there were no records showing FERPA rights were discussed with students. They also found no timeline for keeping and destroying student records.

### **Validation Results**

#### **Meets Requirements**

The monitor's agreed with the steering committee's Procedural Safeguards conclusion.

#### **Needs Improvement**

That the committee found no records documenting FERPA rights being discussed with students and no time line for keeping and destroying student records was not validated by the monitoring team as needing improvement. These items are addressed in the Bison District's comprehensive plan.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive Plan
- File Reviews
- Parental Rights Booklet

#### **Promising Practice**

A promising practice determined by the steering committee was that parents are informed in the prior notice that they may invite individuals with knowledge about their child to IEP meetings.

#### **Meets Requirements**

The steering committee concluded that the district has policies and procedures for developing IEPs, and the district's prior notice document does contain all the required components. They determined that appropriate team members are present at IEP meetings and the parent, student and staff work together developing the IEP. The committee determined that all of the required IEP content is documented and the parent receives a copy. Also, they concluded that the staff implements all the goals and objectives and has kept parents and students informed of student progress. The committee also found that the district has policies and procedures in place for transitioning students.

### **Needs Improvement**

An area needing improvement, determined by the steering committee, was that the district does not indicate what assessment(s) will be used when the IEP team agrees not to use the State assessment.

### **Validation Results**

#### **Promising Practice**

The monitor's did not validate the IEP promising practice, because this is a parent's right.

#### **Meets Requirements**

The monitoring team validated the steering committee's IEP conclusions.

### **Needs Improvement**

The monitoring team did not validate the steering committee's conclusion that the district does not indicate the alternative assessment for testing, because documentation was found stating the STAARS would be used for assessment.

### **Out of Compliance**

#### **24:05:27:01.03 Content of individualized education program**

A student's IEP must contain present levels of performance based upon the skill areas affected by the students identified disability. The present levels of performance are based upon the functional assessment information gathered during the comprehensive evaluation process. In three files reviewed, the present levels of performance were not linked to evaluation and did not contain specific skills to develop student IEPs or determine how the student's disability effected his/her involvement and progress in the general curriculum.

The file review process with the special educator revealed additional training is needed regarding the link between evaluation, skill areas affected by the disability, present levels of performance and annual goals. In two files reviewed there was no evidence that functional assessments had been given; therefore, the present levels of performance did not link to evaluation. In another file, functional assessment was given; however, the analysis did not provide specific skills to develop the IEP. In addition, the monitors found that the annual goal(s) did not consistently link to the present levels of performance. In two transition-age student files reviewed, the student's strengths and needs for transition were not included in the present levels of performance.

#### **24:05:27:13.02. Transition services**

Transition services are a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities. For each student, beginning at age 14, the IEP must include a statement of the transition service needs of the student that focuses on the student's course of study. For each student, beginning at age sixteen, a statement of the needed transition services is required including interagency responsibilities or any needed linkages.

Technical assistance activities with the special educator revealed additional training is needed in the area of transition planning. Life planning outcomes did not reflect an area of employment the student may be

interested in pursuing or the student's preference for living arrangements. The transition service recommendations did not represent specific needs of the student but listed computer programs or curriculum.

## **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive Plan
- Budget Information
- Child Count
- File Reviews Summary
- Parent and Teacher Surveys
- Tables F, I, J, N
- IEP Form
- Head Start Agreement and Staffing

### **Meets Requirements**

The steering committee concluded that the district has policies and procedures in place that support a continuum of LRE for serving children birth through 21 years old. They indicated that the district has a continuing agreement with Badlands Head Start to provide services to children with disabilities. The committee determined that the special education staff and paraprofessionals meet the individual students' LRE needs. The steering committee also indicated that students with disabilities are included in age appropriate academic settings with their nondisabled peers through the use modifications. The committee found policies and procedures that allow disabled students to participate in non-academic activities with students who do not have disabilities. In addition, they also found that policies and procedures are in place should student behavioral or emotional needs be identified. The steering committee concluded that the district justifies placements, considers harmful effects and addresses the behavioral needs of all students on IEPs.

### **Needs Improvement**

Based on the teacher surveys, the steering committee determined that the general education teachers need more time to collaborate with the special education staff to meet the needs of students. They also concluded that all the district's staff need to be involved in training pertaining to the LRE continuum of placement, inclusion and modifications.

### **Validation Results**

### **Meets Requirements**

The monitoring team validated the steering committee's LRE conclusions.

### **Needs Improvement**



The monitoring team validated that the regular education teachers' need ample time to collaborate with special education staff and that all the staff involved in special education need training to develop a better understanding of the continuum for alternative placements, inclusion and modifications.

### **Out of Compliance**

#### 24:05:28:01. Least restrictive program to be provided

Children in need of special education or special education and related services shall be provided special programs and services to meet with individual needs which are coordinated with the regular educational program whenever appropriate. Removal from the regular educational classroom may occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

#### 24:05:27:01.03 Content of individualized education program

The IEP must contain an explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and in activities.

Technical assistance activities with the special educator and file reviews revealed a need for additional training in the area of least restrictive environment. The provision of special education services contained the student's class schedule rather than addressing the special education and related services to be provided or the description, amount and location of services. The special educator revealed a lack of understanding in how to document the services needed by a student. The justification for placement did not describe why the student's instruction could not be provided in the regular education setting or correlate with the student's present levels of performance.